IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

Bail Appl..No. 4303 of 2007()

CMP.1819/2007 of J.M.F.C.-II,HOSDRUG
CRIME NO.95 OF 2007 OF CHITTARIKKAL POLICE STATION

.....

: PETITIONER/ACCUSED

SALEEM C.H., AGED 26 YEARS,
S/O KUNHAY, VAKAPALLI, KUNNAMKAI,
BHEEMANADI VILLAGE, KASARAGOD DISTRICT.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.
REPRESENTING, S.H.O.CHITTARIKKAL(TRANSFERRED TO
SPECIAL MOBILE SQUAD DY.S.P., KASARAGOD FOR
INVESTIGATION)

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4303 of 2007

Dated this the 16th day of July, 2007

ORDER

Application for regular bail. The petitioner, a married person, aged about 24 years, is alleged to have attempted to commit rape on the defacto complainant/prosecutrix, a girl aged about 16 years while she was walking along the road. She was allegedly attempted to be dragged to a neighbouring house. Attempt was made later to commit rape on her by the side of the public way. The victim belongs to the Scheduled Caste. The alleged incident took place on 01.07.07. The complaint has been lodged on the very next day. Investigation is in progress. The petitioner surrendered before the learned Magistrate on 03.07.07. He continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer, on condition that appropriate conditions may be imposed and the investigator may be granted some further time to complete the investigation, and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 23.07.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so;

iv) The petitioner shall not enter the jurisdiction of Chittarikkal Police Station until further orders except for the purpose of complying with the condition No.(iii).

(R.BASANT, JUDGE)

rtr/-